P10 return to ltr from Pratt 6/12/75 w/o comment

6/11/75

Dear Jim,

After drafting the material for the new affidavit I believe is required in C.A.226-75 I came to realize the extent and the possible consequences of the newest Archives stonewalling and the potential of the FBI's withdrawing us on this.

It now is an practical impossibility for me to execute as complete an affidavit as I believe is required because of transparent withholding by the Archives. It is completely impossible that the only communication or document of any kind from, to or about the ASC can't be the one letter, Eberhold's of 12/11/63.

Aside from this, I do not believe that the Hoover documents we have permit the kinds of statements Rankin made in the executive sessions about NAA.

In this connection, please understand that my other work as it relates to this is absolutely and completely definitive: Exhibit 399 cannot have hit the President in the back and left traces on the jacket and shirt; and it did not and could not have exited the front of his neck. If you had read the last part of Post Mortem Forlorn you'd know this. However, if you recall the pictures I showed you when I got them from Kleindienst while he was still reeling from the summary judgement in C.A.718-70, you should recall enough.

Thus Kelley's 4/10/75 letter makes no reference to NAA on the clothing. But they dared not omit this and the N.A on the curbstone in the Lesar affidavit. (Sorry I missed the curbstone NAA for the first affidavit. The terrible haste!)

They can't produce authentic and complete tests without ending the whole monstrous affair, which gives us serious problems because they have serious ones. This is part of the reasoning behind my belief that we must do all we can prior to the coming calendar hearing, when Pratt may just ignore the law and try to moot us. And with vigor.

While for the purposes set forth in it my letter of today to Rhoads was necessary, I think it also provides a legitimate basis for asking for a postponement, aside from the ASC's non-compliance which they can rectify by again handing us a non-responsive affidavit in court. Unless you find compelling reasons not to, please use this as a basis for asking for the kind of postponement I've suggested in the past, until we have 10 days after the delivery of the last paper asked for. I have copies of what the Archives should have given us and didn't. They didn't give us any of the Shaneyfelt exhibits, for example, and they are relevent. Nor the Hoover letter I have in Post Mortem which says in his own special way that the NAA's do not say what they want said.

Added to the long and consistent record, I think this puts us in a position to use the new provision of the law for the recovery of damages. If we can find it possible, always a question.

Until I can read the Rockefeller Report (and the morning paper has not yet come) I can't be sure, but I believe that it will have to say more than has been reported of Cotter's testimony on CIA mail intercepts. I'd expect the Senate committee to add to this. What I'm getting at is an explanation of the CIA's stonewalling when I told Warner quite openly that I have copies of their domestic surveillance on me. I have known all along that there was interference with my mail abroad having to do with publishing. My London agent reported it by cable and phone. I was represented for a while by Dilia, the Czech agency. When all else failed I tried Post Mortem. And in West Germany the stuff just disappeared, both way. Not one publication by Fischer A.G. and their letters never reached me. In fact, the manuscript disappeared, as did xeroxes of the limited edition at Der Spiegel. How did they know? By accident.

Through an old friend a fabulous woman was my first agent in England, the Baroness Moura Budberg. She introduced Whitewash to Collins in 1963. They gave it initial editorial approval. But of all people they then gave it to John Sparrow for a reading. He nixed it. When I later learned about him, which is to say when he figured publicly in the controversy on the subject, I checked with a British reporter, who told me that Sparrow has been a longtime spook, specializing in recruiting.

When his book appeared I engaged in correspondence with him. He was then unwilling to make even pro forma denials, saying I would not believe him anyway.

You know about the non-delivery of the manuscript of Oswald in New Orleans and what happened with a second copy, another interception. Well, earlier there was something similar. I sent parts of Whitewash II to my London agent as I wrote them. It is my recollection that not a single first-class mailing reached him. Only when I sent them insured did he get any parts.

Were it not for this way of learning about me and my work, there is always the Wilkinson angle.

So, if any appreciable part of this encapsulation is the case, the CIA could easily and I think wisely have opted stonewalling, taking the chance that my limited capabilities would be safer for them than any admission.

There is more of which you know.

This newest business of the Archives and DJ makes me think again of seeking co-counsel and filing a damage suit. Can you find time to think about this? Have you discussed it with Phil?

It would be best to do this as early as possible in the March investigation, in part because it will be helpful to them.

If we can't do this soon I'll probably have to give the work I've done on the CIA domestic proprietary used for this special intelligence operation. At least one, that is. The one I have documented. I'm to hear from Fort Rowen. I may raise it with him if his interest continues.

Best,